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SECOND REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS PRELIMINARY DEPLOYMENT IN THE DEMOCRATIC REPUBLIC OF THE CONGO

I. INTRODUCTION

1. By paragraph 8 of its resolution 1258 (1999) of 6 August 1999, the Security Council authorized the deployment of up to 90 United Nations military liaison personnel, together with the necessary civilian, political, humanitarian and administrative staff, to the capitals of the States signatories to the Lusaka Ceasefire Agreement. The Council also authorized the deployment of liaison officers to the provisional headquarters of the Joint Military Commission (JMC) established by the Agreement and, as security conditions permit, to the rear military headquarters of the main belligerents in the Democratic Republic of the Congo and, as appropriate, to other areas the Secretary-General may deem necessary, for a period of three months.

2. By paragraph 12 of the resolution, the Council requested the Secretary-General to keep it regularly informed of developments in the Democratic Republic of the Congo and to report at the appropriate time on the future presence of the United Nations in the Democratic Republic of the Congo in support of the peace process. The present report is submitted pursuant to those provisions.

II. DEVELOPMENTS IN THE PEACE PROCESS

3. Despite the signature of the Ceasefire Agreement in Lusaka on 10 July 1999 by the six States parties concerned, the two Congolese rebel movements, the Movement for the Liberation of the Congo (MLC) and the Congolese Rally for Democracy (RCD), declined to sign at that time. Jean-Pierre Bemba, the leader of MLC, signed the Agreement in Lusaka on 1 August.

4. Following intense diplomatic activity, especially by President Chiluba of Zambia and his Government and the Government of South Africa and others, representatives of the remaining rebel movement, RCD, signed the Ceasefire Agreement in Lusaka on 31 August.

5. The signing by the RCD representatives was followed by a meeting, on 3 September, of the Political Committee established by the Agreement at the ministerial level to provide overall political coordination in the

implementation of the Agreement. The Political Committee agreed that the United Nations and the Organization of African Unity (OAU) should be full participants in its work and in that of JMC and that Zambia should have permanent observer status in the two bodies. The Committee also decided that JMC should establish its headquarters immediately in Zambia and move to the Democratic Republic of the Congo as soon as possible thereafter. A budget for JMC, amounting to some $5 million, was also adopted.

6. On 11 and 12 October, JMC met in Kampala with the participation of the States and the rebel movements signatories to the Agreement, as well as the OAU and the United Nations, under its Chairman, General Rachid Lallali (Algeria). Under the Lusaka Agreement, JMC is responsible, together with the observers to be deployed by the United Nations and OAU, for executing peacekeeping functions until the deployment of the United Nations peacekeeping force. Furthermore, the Agreement stipulates that until the deployment of United Nations/OAU observers, the cessation of hostilities is to be regulated and monitored by the parties through JMC. At the meeting in Kampala, JMC decided to deploy observers at four sites within the Democratic Republic of the Congo to verify the parties' positions and investigate ceasefire violations. The four locations are Lisala, Boende, Kabinda and Kabalo. JMC also received information concerning the positions of the various forces on the ground in the Democratic Republic of the Congo. Representatives of the Government of Burundi, which is not a party to the Agreement but which attended the meeting, requested to join JMC. It has not so far been admitted.

7. At the invitation of the United Nations representatives, all the parties, with the exception of Angola and the Democratic Republic of the Congo, provided guarantees in writing that they would safeguard the personal security of United Nations military and civilian personnel deployed in support of the United Nations mission in the Democratic Republic of the Congo in the areas under their control. The Government of Angola has since provided a written security guarantee.

8. The JMC meeting was followed by another meeting of the Political Committee on 15 October in Lusaka. The Committee noted that in spite of delays in the deployment of the OAU observers, which it attributed to a shortage of resources, the parties to the Agreement had generally continued to respect the ceasefire. The Committee expressed its gratitude to the Governments of Zambia, South Africa, Namibia, Uganda and Zimbabwe and to OAU for their contributions towards the JMC budget and to the Governments of Belgium, France, Germany, the United Kingdom of Great Britain and Northern Ireland, and the United States of America and to the European Union for the pledges they had made.

9. The Political Committee expressed concern about "the slow pace at which the United Nations was handling the request for the deployment of peacekeepers in the Democratic Republic of the Congo". It noted that similar situations in other regions "normally receive more prompt and appropriate response from the United Nations" and called upon the United Nations "to address the situation in the Democratic Republic of the Congo with the urgency and seriousness it deserves".

10. The Committee called on the Congolese parties, with the assistance of the OAU Secretary-General, to expedite consultations on the appointment of a neutral facilitator for the inter-Congolese negotiations so that the national dialogue could start without further delay.

11. The Lusaka Ceasefire Agreement provides for a national dialogue to be held between the Government of the Democratic Republic of the Congo, the armed opposition, namely RCD and MLC, the unarmed opposition and civil society. It also provides for the Organization of African Unity to assist the Democratic Republic of the Congo in organizing these inter-Congolese political negotiations under the aegis of a neutral facilitator chosen by the parties. While the Government of the Democratic Republic of the Congo has accepted the names of the facilitators proposed by OAU - the International Organization of La Francophonie and the Communità Sant'Egidio - the Goma-based RCD has until now withheld its agreement. The importance of the national dialogue in creating the conditions for national reconciliation and what the Lusaka Agreement terms a new political dispensation cannot be overemphasized. I consider it of the utmost importance that this issue be resolved.

12. Notwithstanding the successful holding of the JMC meeting on 11 and 12 October, the split between RCD-Goma and RCD-Kisangani (now renamed RCD-Liberation Movement (RCD-ML)) has persisted. On 1 October, RCD-Kisangani moved its headquarters to Bunia, instituted a "transitional government" and declared the establishment of new provinces in the Province Orientale. RCD-Goma has reportedly indicated its intention of recapturing the territory controlled by the RCD-ML as they find the "artificial creation" of a Congolese province to be unacceptable.

13. There have been several accusations and counter-accusations of ceasefire violations by the parties. Troop movements are said to be continuing. Some reports have also indicated a build-up of foreign troops in the areas of Mbuji-Mayi and Kisangani and a serious confrontation between Rwandan and Ugandan troops took place in Kisangani in August/September. The dispute seems to have been subsequently resolved. Some small locations have reportedly been seized recently by the rebels, and so far unverified reports have been received concerning troop movements by the Government forces.

14. The presence of former Rwandan government forces (ex-FAR) and Interahamwe militia elements in the region and the alleged alliances they are forging with different groups underscore the intricate and interconnected nature of the peace process in the Great Lakes region.

III. ACTION TAKEN BY THE UNITED NATIONS

15. Immediately upon the issuance of my first report dated 15 July 1999 on the United Nations preliminary deployment in the Democratic Republic of the Congo (S/1999/790), I dispatched an advance civilian and military team to the subregion to establish contacts with the Government of Zambia and other participants in the ceasefire process and to formulate recommendations for the initial deployment of United Nations personnel.

16. Once RCD had signed the accord on 31 August, the United Nations, after detailed discussions with the Government of the Democratic Republic of the Congo, established an advance military headquarters and a liaison presence in Kinshasa. The United Nations also dispatched military liaison officers to Kigali, Kampala, Harare and Windhoek as the capitals of the State signatories. A liaison officer will be sent to Luanda shortly. Liaison officers have also been sent to Bujumbura and to Lusaka as the provisional seat of the JMC.

17. The United Nations military liaison officers currently deployed have been contributed by the following countries: Algeria, Bangladesh, Belgium, Benin, Canada, France, India, Italy, Kenya, Pakistan, Poland, South Africa, Sweden, United Kingdom, United Republic of Tanzania, Uruguay and Zambia (see annex).

18. The United Nations is ready further to deploy officers within the Democratic Republic of the Congo beyond Kinshasa, as well as to dispatch a technical survey team to assess the security conditions and infrastructure in some 13 proposed deployment locations throughout the country, as soon as it has received the necessary security guarantees from all parties. At the time of the submission of the present report it was understood that the representatives of the Democratic Republic of the Congo at the JMC meeting in Lusaka had provided the United Nations with a written security guarantee. However, the wording contains conditions and restrictions, including on freedom of movement, and requires further study and discussions with the Government.

19. In accordance with paragraph 8 of resolution 1258 (1999), the technical survey team is tasked with locating and visiting the field military headquarters of the main belligerents in the Democratic Republic of the Congo and, as appropriate, to other areas the Secretary-General may deem necessary. The details were provided to JMC at its Kampala meeting.

20. While the technical survey team arrived in Kinshasa on 17 October with a view to visiting a number of proposed deployment locations, it has not yet been able to carry out any reconnaissance visits within the territory of the Democratic Republic of the Congo. As a consequence, none of the remaining liaison officers already identified and requested to remain on standby have been deployed for the time being.

21. None of the Governments contacted so far have responded to the Secretariat's request to conclude status-of-mission agreements.

IV. HUMANITARIAN SITUATION

22. Despite the ceasefire following the signing of the Lusaka peace accord, insecurity remains a major obstacle to humanitarian operations and hampers access to the internally displaced, now numbering more than 800,000 people. Currently, over 180,000 citizens of the Democratic Republic of the Congo are refugees in neighbouring countries, and over 250,000 are refugees with the Democratic Republic of the Congo itself. Reports indicate that inter-ethnic fighting in the north-eastern part of the country has forced over 100,000 people to flee their homes. Additional pockets of displacement have been identified in Equateur, North Kivu, Katanga and Eastern Kasai. Refugees from Angola and the

Republic of the Congo continue to arrive in Katanga, Bas Congo and Bandundu provinces of the Democratic Republic of the Congo and a reduced but continuing flight of refugees from the Democratic Republic of the Congo are entering the United Republic of Tanzania and Zambia.

23. Also as a result of the prevailing insecurity, large numbers of civilians continue to be exposed to indiscriminate violence, looting and the destruction of property, including agriculture, in almost all parts of the country. Widespread reports of human rights abuses continue to circulate.

24. The major constraint for the humanitarian community is that priority life-saving operations are severely underfunded. To date, the 1999 Consolidated Appeal for the Democratic Republic of the Congo, which requested $81 million to address life-saving requirements, is less than 25 per cent funded. Greater access in itself would be ineffective without the additional resources required. The World Food Programme (WFP) faces a commodity shortfall of 60,000 metric tons in the coming six months, but expects to receive only 10,000 tons of food during the last quarter of 1999. The consequences of inadequate funding are simple: lives that could have been saved are lost and suffering that could have been lessened is allowed to follow its course.

25. However, the humanitarian community hopes that the deployment of United Nations military and civilian personnel will allow confidence to be restored sufficiently so that commercial routes (by rail, air and through the Congo River) may be reopened.

26. Despite these constraints, humanitarian coordination arrangements exist in most parts of the country, with good contacts with local authorities and within the communities receiving assistance. It is essential that United Nations humanitarian staff be deployed as part of the military liaison officer teams to the various locations in order to benefit from these linkages with the communities and the interlocutors.

27. On 23 and 24 October, the third and final round of polio immunization took place throughout the country in an attempt to immunize 10 million children under the age of five. In addition, children between 9 and 59 months old were to be immunized against measles. So far, there is no indication of the level of coverage attained in this campaign.

V. RELATIONS WITH THE ORGANIZATION OF AFRICAN UNITY, THE JOINT MILITARY COMMISSION AND THE PARTIES

28. The proper implementation of the Lusaka Agreement will require very close coordination and cooperation between the United Nations, the parties, JMC and OAU. In order to generate this cooperation, the Department of Peacekeeping Operations has been in very close and regular contact with the permanent missions concerned in New York, in addition to the activities of the liaison teams in the capitals.

29. The United Nations and OAU are currently discussing the coordination of the deployment plans and the roles to be played by the respective military

personnel. Two United Nations liaison officers have been dispatched to OAU headquarters to begin consultations for this purpose. The OAU Assistant Secretary-General for Political Affairs and the JMC Chairman have been invited to visit New York for consultations with the Secretariat on various issues related to the implementation of the Agreement. The United Nations has also agreed to train the 50 OAU observers to be deployed within the Democratic Republic of the Congo.

30. To support the peace process and help mobilize the necessary resources for JMC, the United Nations has established a Trust Fund. In the meantime, as noted above, pledges of substantial contributions have been made to JMC from within Africa and elsewhere. A request from OAU to deploy 32 OAU observers to four locations in the Democratic Republic of the Congo that have been designated as regional JMC centres is currently under active consideration.

31. As a further impetus to mobilizing the necessary resources for JMC, I asked my Special Envoy for the Peace Process for the Democratic Republic of the Congo, Moustapha Niasse, to lead a delegation to Brussels from 6 to 8 October. In Brussels, he conveyed to the European Union and the Government of Belgium the urgency of funding JMC as well as the importance of providing financial assistance for the national dialogue. The delegation also emphasized the current crisis in funding humanitarian activities in the Democratic Republic of the Congo at a time of great distress for the population.

32. The deployment of the United Nations liaison officers in the Democratic Republic of the Congo can proceed once the Government has provided the United Nations with acceptable security guarantees. In accordance with paragraph 8 of resolution 1258 (1999), the military liaison officers should be deployed "to the rear military headquarters of the main belligerents in the Democratic Republic of the Congo and, as appropriate, to other areas the Secretary-General may deem necessary". In order to carry out its mandate, it is essential that the United Nations should have the capacity, through its liaison officers deployed throughout the country, to know as much as possible about the location, size and movements of the various military forces stationed there. Only on the basis of such detailed information can plans be drawn up for the subsequent deployment, subject to Security Council approval, of additional personnel.

33. The United Nations has made repeated efforts to explain to the Government of the Democratic Republic of the Congo the rationale of the concept of deployment of United Nations personnel pursuant to resolution 1258 (1999). United Nations representatives explained to participants in the JMC meeting of 11-12 October the United Nations plans and intentions and provided them with the list of proposed deployment locations. United Nations political and military representatives in Kinshasa have since followed up with repeated meetings with Government officials to explain in detail, orally and in writing, the United Nations intentions. The Government officials include the Minister of the Interior, Gaetan Kakudji, the Minister of Justice, Mwenze Kongolo, the Vice-Minister of the Interior, Mulumba Katchi, and the Cabinet Secretary of the Ministry of Defence, Col. Kokolo Longo. President Kabila himself informed United Nations officials on 9 October of his readiness to provide the security guarantees. The written statement provided at the JMC meeting in Lusaka on 31 October appears to be a step towards carrying out these undertakings.

VI. NEXT STEPS

34. In my 15 July report (S/1999/790), I outlined plans to deploy up to 500 United Nations military observers within the Democratic Republic of the Congo and, as required, to the belligerent and other neighbouring States. Their tasks, which would be in accordance with the peacekeeping functions listed in the Lusaka Ceasefire Agreement, would supplement those already being performed by the military liaison officers and would include the following:

- To establish contacts with the various parties at their headquarters locations, including in the capitals of the belligerent States;
- To strengthen liaison with JMC and collaborate with it in the implementation of the Ceasefire Agreement;
- To assist JMC and the parties in investigating alleged violations of the ceasefire;
- To make a general security assessment of the country;
- To secure from the parties guarantees of cooperation and assurances of security for the further deployment in-country of United Nations personnel;
- To determine the present and likely future locations of the forces of all parties with a view to refining and finalizing the concept for deployment of United Nations military personnel;
- To observe, subject to the provision by the parties of adequate security, the ceasefire and disengagement of the forces and their redeployment and eventual withdrawal;
- To facilitate the provision of humanitarian assistance to and protection of displaced persons, refugees, children, and other affected persons, and to assist and protect human rights and child protection officers in the performance of their duties.

35. It had been my intention to recommend the deployment of military observers on the basis of the report of the technical survey team on its visits to proposed deployment locations. For the reasons given above, the team has not yet been able to report. Nonetheless, in view of the urgency of the situation in the Democratic Republic of the Congo and in order to lend momentum to the peace process, I think it advisable to proceed further to the extent possible.

36. I would therefore seek from the Security Council prior authorization to deploy up to 500 military observers, with the necessary support and protection. I anticipate receiving in due course from the Government of the Democratic Republic of the Congo acceptable guarantees of security and freedom of movement which would make such a deployment possible. The military observers would be deployed as and when confirmation was received from the technical survey team and the military liaison officers deployed to the field headquarters that conditions were suitable.

37. In order to be effective, the military observers will require protection and considerable logistical support, including vehicles and communications, as well as additional air assets to ensure their deployment, supply, rotation and, if necessary, extraction. A medical unit should also be deployed in support of the mission.

38. The security of the military observers, whose mandate is much broader than that of the liaison officers, is of paramount concern. The deployment of United Nations formed units might be necessary to ensure the protection of the observers and other United Nations personnel.

39. Military deployment alone will not be sufficient, however. The humanitarian and human rights aspects of the conflict in the Democratic Republic of the Congo require the deployment of civilian humanitarian, child protection and human rights officers at the earliest stages of the operation, in order to assess the situation and propose further long-term action the United Nations and the international community can take. It is proposed that at this early stage in the operation a number of professional political, humanitarian, human rights, child protection, civilian police, public information, administrative and other personnel will have to be deployed.

40. The plight of child soldiers, and of children in general, is a particular acute feature of the conflict. The protection of children's rights will require immediate and sustained attention, as well as adequate resources throughout the peace process in the Democratic Republic of the Congo. Among the many pressing needs are the disarmament, demobilization and reintegration of child combatants; the protection and safe return of internally displaced and refugee children; the provision of humanitarian assistance to vulnerable populations composed largely of women and children; and the registration, protection and reunification of unaccompanied or orphaned children and children in foster families. Child protection advisers should be an integral part of the mission in all relevant aspects of deployment to the Democratic Republic of the Congo.

VII. OBSERVATIONS AND RECOMMENDATIONS

41. The enormous obstacles facing any United Nations operation in the Democratic Republic of the Congo have always been very apparent. The experience gained so far in deploying a small number of military liaison officers in and around the Democratic Republic of the Congo has only served to deepen our appreciation of the difficulties.

42. Nevertheless, the United Nations must continue to support the peace process to the full extent of its capacities. The suffering in the Democratic Republic of the Congo has persisted for far too long for us to miss the chance offered by the Lusaka Ceasefire Agreement.

43. I therefore recommend to the Security Council the extension of the mandate of the United Nations personnel currently in the Democratic Republic of the Congo until 15 January 2000. By then, on the basis of the conclusions of the technical survey team, it should be possible to provide the Council with further

details on the possible establishment of a United Nations peacekeeping operation in the Democratic Republic of the Congo.

44. I also request from the Security Council prior authorization for the setting up of a United Nations Observer Mission in the Democratic Republic of the Congo (MONUC) and the deployment of up to 500 military observers with the necessary logistical and personnel support and with the mandate set out above. The provision of the necessary security guarantees would facilitate their expeditious deployment while taking into account the findings of the technical survey team. The observer operation would absorb the existing initial deployment. It should be adequately equipped and should have sufficient numbers of civilian staff, including political, humanitarian, human rights and child protection officers as well as administrative personnel. It should be led by a Special Representative, whom I shall shortly appoint.

45. As I indicated in my 15 July report (S/1999/790), the deployment of military observers, should the Council so decide, would constitute the second phase of United Nations involvement in the Democratic Republic of the Congo, security and other conditions permitting. A third phase would be the eventual deployment of a peacekeeping operation with formed units to assist the parties in the implementation of the Lusaka Ceasefire Agreement and in strengthening the peace process in general, as well as to protect the United Nations personnel deployed in the Democratic Republic of the Congo. In order to make up for the delays encountered so far, my next report will cover both those phases.

46. Subject to further progress in the peace process, I therefore envisage reverting to the Security Council within the next few weeks with a further report containing recommendations and a proposed mandate and concept of operations for the deployment of United Nations peacekeeping troops, accompanied by military observers. I trust it will also be possible to provide the Council within the same time-frame the details of the requirements in terms of logistics, communications, transportation, medical support, civilian staff and the associated cost estimates.

47. In the meantime, I shall keep the Council fully informed of developments in the Democratic Republic of the Congo and the activities of the United Nations there, including its relations with the Government of the Democratic Republic of the Congo, JMC and OAU.

48. In that context, I urgently call upon all parties to cooperate fully and closely with the United Nations mission and with my Special Representative (to be appointed). The provision of an acceptable security guarantee and the acceptance by the Government of the Democratic Republic of the Congo of the need for United Nations personnel to be deployed throughout the country are essential preconditions to the mission's ability to deploy and function effectively. I intend to continue to seek pragmatic and feasible solutions to the problems as they arise.

49. The Joint Military Commission established pursuant to the Lusaka Ceasefire Agreement clearly has a central role to play in the peace process. It needs and deserves support in order to function effectively. The deployment of four United Nations military liaison officers, initially in Lusaka, is a first step

in this direction. In addition, I commend those Governments that have already made available resources to JMC or pledged to do so, and invite donors to redeem their pledges as rapidly as possible. In the same spirit, I propose that the United Nations provide JMC with the necessary logistical and other operational support.

50. I look forward to continued close cooperation with OAU. The United Nations intends to follow up the dispatch of two military liaison officers to Addis Ababa to consult with OAU officials on closer coordination between our two organizations with additional measures, including the permanent deployment of United Nations military personnel at OAU headquarters.

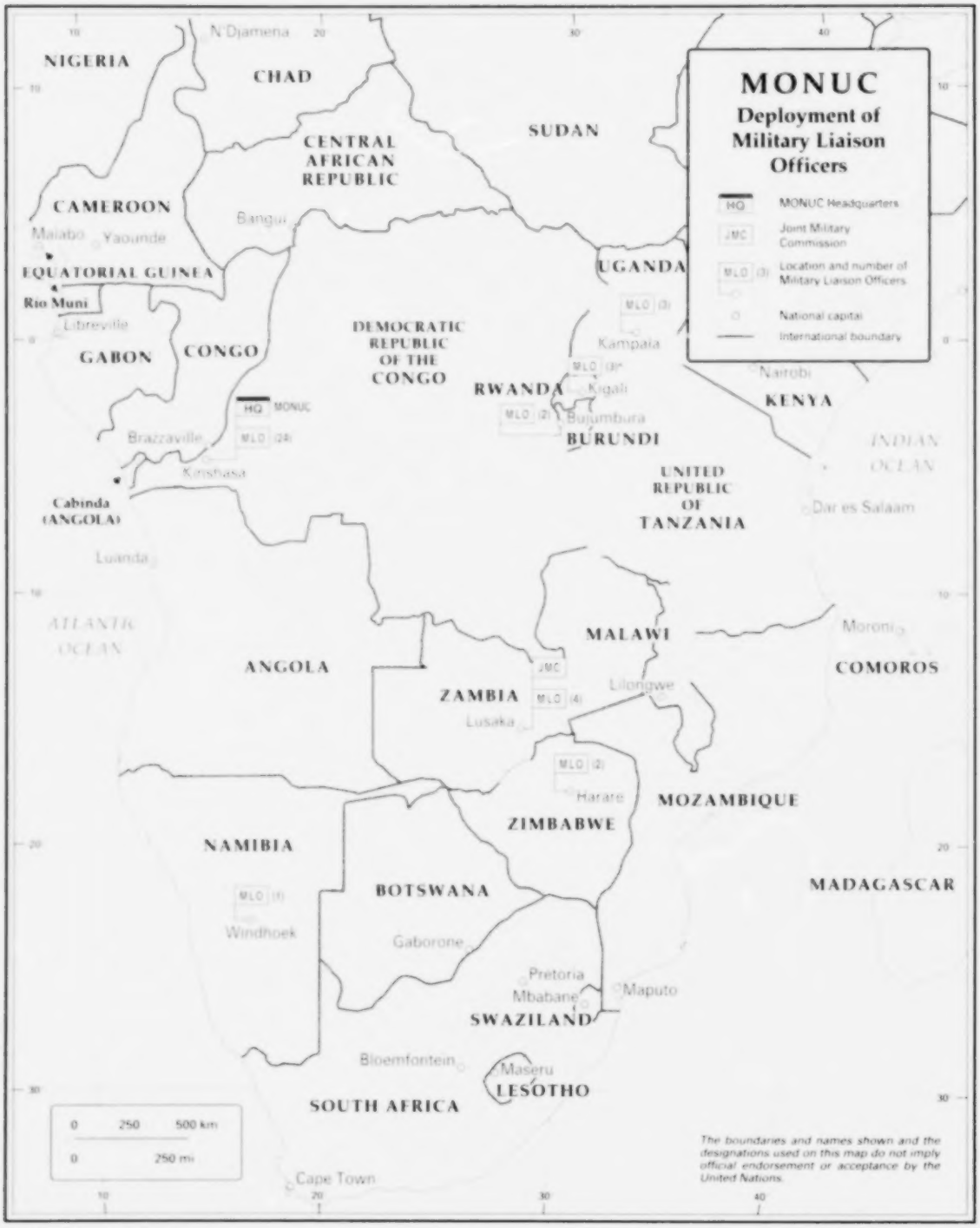
51. I also express my appreciation to the United Nations political and military staff already deployed in and around the Democratic Republic of the Congo for the efforts they have been making, often in difficult circumstances, and to those countries that have expressed willingness to contribute military observers.

Annex

United Nations Observer Mission in the Democratic Republic of the Congo

Contributions as at 1 November 1999

	Military liaison officers	Troops	Civilian police observers	Total
Algeria	5	-	-	5
Bangladesh	1	-	-	1
Belgium	1	-	-	1
Benin	4	-	-	4
Canada	1	-	-	1
France	3	-	-	3
India	3	-	-	3
Nepal	1	-	-	1
Pakistan	7	-	-	7
Poland	1	-	-	1
South Africa	1	-	-	1
Sweden	2	-	-	2
United Kingdom	6	-	-	6
United Republic of Tanzania	1	-	-	1
Uruguay	1	-	-	1
Zambia	1	-	-	1
Total	39			39



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